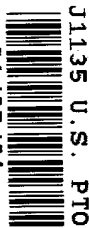


08-68-01

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Attorney Docket No.: L0461/7118(JRV)



J1135 U.S. PTO



J1046 U.S. PTO

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b>  <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	<b>L0461/7118 (JRV)</b>
	First Named Inventor or Application Identifier	
	<b>Martelange, et al.</b>	
	Express Mail Label No.	<b>EL844532044US</b>
	Date of Deposit	<b>August 7, 2001</b>

<b>APPLICATION ELEMENTS</b> <i>See MPEP chapter 600 concerning utility patent application contents</i>	<b>ADDRESS</b> Box Patent Application <b>TO:</b> Commissioner for Patents Washington, DC 20231
1. <input checked="" type="checkbox"/> Fee Transmittal Form <i>(Submit an original, and a duplicate for fee processing)</i>  2. <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. <input type="checkbox"/> Statement filed in prior application, status still proper and desired.  3. <input checked="" type="checkbox"/> Specification -Total pages 66 63 - pages description 1 - pages abstract 6 - pages claims 43 - Total claims  4. <input type="checkbox"/> Drawing(s) (35 USC 113) - Total sheets <input type="checkbox"/> Informal <input type="checkbox"/> Formal - Total drawings  5. <input checked="" type="checkbox"/> Oath or Declaration -6 Total pages a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> <i>[Note Box 6 below]</i> i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).  6. <input checked="" type="checkbox"/> Incorporation by Reference <i>(usable if Box 5b is checked)</i> The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein. See 19.  7. <input type="checkbox"/> Application Data Sheet, See 37 CFR 1.76	8. <input type="checkbox"/> CD-ROM or CD-R, in duplicate, large table or Computer Program (Appendix)  9. <input checked="" type="checkbox"/> Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary) a. <input checked="" type="checkbox"/> Computer Readable Form (CRF) b. <input checked="" type="checkbox"/> Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input checked="" type="checkbox"/> paper (identical to computer copy) c. <input checked="" type="checkbox"/> Statement verifying identity of above copies  <b>ACCOMPANYING APPLICATION PARTS</b>  10. <input type="checkbox"/> Assignment Papers/cover sheet & documents(s)  11. <input type="checkbox"/> 37 CFR 3.73(b) Statement <i>(when there is an assignee)</i> <input type="checkbox"/> Power of Attorney  12. <input type="checkbox"/> English Translation of Document <i>(if applicable)</i>  13. <input checked="" type="checkbox"/> Information Disclosure Statement/PTO-1449 <input type="checkbox"/> Copies of IDS Citations  14. <input checked="" type="checkbox"/> Preliminary Amendment  15. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i>  16. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i>  17. <input type="checkbox"/> Request and Certification Under 35 U.S.C. §122(b)(2)(B)(ii)  18. <input checked="" type="checkbox"/> Other: <u>Letter requesting use of previous CRF;</u> <u>Copy of face of previous CRF (diskette label)</u>

19. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in the body of the application, or a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP) of prior application No.: 09/567,995, filed on May 10, 2000, entitled Tumor Associated Nucleic Acids and Uses Therefor, and now pending; which is a divisional of U.S. application serial no. 09/183,706, filed October 30, 1998, and now issued as U.S. patent 6,245,525, which was a CIP of U.S. application serial no. 09/122,989, filed July 27, 1998, now abandoned.

☐ Cancel in this application claims \_\_\_\_\_ before calculating the filing fee.

☐ Amend the specification by inserting before the first line of the specification on page 1, after the title, the following:

--This application is a ☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_, filed on \_\_\_\_\_, entitled \_\_\_\_\_ and now \_\_\_\_\_.--

**Prior application information:** Examiner Mark L. Shibuya Group Art Unit: 1635

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

20. CORRESPONDENCE ADDRESS

Correspondence address below

CUSTOMER NUMBER:



23628

OR

20. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	John R. Van Amsterdam, Reg. No. 40,212
SIGNATURE	
DATE	August 7, 2001

Inventor or Identifier: Martelange et al.

Serial No: Not yet assigned

Filed: Herewith

CHECK BOX, if applicable:

For: Tumor Associated Nucleic Acids and Uses Therefor

☐ DUPLICATE

## Fee Calculation Sheet

CLAIMS	FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
	TOTAL CLAIMS (37 CFR 1.16(c))	11-20=	0 x	\$18	= \$ 0.00
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	1-3=	0 x	\$80	= \$ 0.00
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d)) +			\$260	= \$
				BASIC FEE (37 CFR 1.16(a))	\$ 710.00
				Total of above Calculations =	\$ 710.00
				Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).	\$
				Assignment Recordation Fee (if any)	\$
				Other Fees (if any).	\$
				TOTAL =	\$ 710.00

1. ☒ A check in the amount of \$ 710.00 is enclosed.

## General Authorization to Charge Deposit Account and General Request for Extension of Time

2. a. ☒ If the filing of any paper in this application necessitates the payment of a fee under 37 CFR §§ 1.16 or 1.17, and the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.
- b. ☐ The applicant hereby revokes any prior authorization to charge a fee due under 37 CFR §§ 1.16, 1.17 or 1.18.
3. If the filing of any paper in this application necessitates an extension of time under 37 CFR §1.136(a), the applicant hereby requests such extension of time. If the fee due is in an amount different from any enclosed check or if no check is enclosed, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.



John R. Van Amsterdam, Reg. No. 40,212  
 Wolf, Greenfield & Sacks, P.C.  
 600 Atlantic Avenue  
 Boston, MA 02210-2211  
 (617) 720-3500  
 Attorneys of Record

Docket No. L0461/7118(JRV)  
 Date: August 7, 2001

Attorney's Docket No: **L0461/7118 (JRV)**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Martelange et al.  
Serial No: Not assigned  
Filed: Herewith  
For: TUMOR ASSOCIATED NUCLEIC ACIDS AND USES THEREFOR  
Examiner: Unknown  
Art Unit: Unknown

Box PATENT APPLICATION  
Commissioner for Patents  
Washington, D.C. 20231

**LETTER REQUESTING USE OF COMPUTER READABLE FORM  
FROM ANOTHER APPLICATION**


Sir:

In accordance with 37 C.F.R. §1.821(e) regarding submission of a computer readable form of nucleotide and/or amino acid sequence disclosures in a new application which corresponds to the sequence information from another application already on file at the United States Patent and Trademark Office, Applicants request use of the previously filed computer readable form. The Sequence Listing enclosed herewith is identical to that filed on **October 30, 1998** in a previous application, Serial No. **09/183,706**, which is the grandparent application of the divisional application filed herewith. In accordance with 37 C.F.R. 1.821(e), please use the last-filed computer readable form filed in application Serial No. **09/183,706** as the computer readable form for the instant application. It is understood that the U. S. Patent and Trademark Office will make the necessary change in application number, docket number and filing date for the computer readable form that will be used for the instant application. A paper copy of the Sequence Listing for the instant application is included herewith. Applicants' attorney states that the paper copy filed herewith and the computer readable form filed in application Serial No. **09/183,706** are identical and contain no new matter.

Attorney's Docket No. **L0461/7118**

The computer readable form was filed as a 3½ inch diskette containing the pertinent file in ASCII text format. A copy of the face of the computer disk is enclosed.

Respectfully submitted,

  
\_\_\_\_\_  
John R. Van Amsterdam  
Reg. No. 40,212  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, MA 02210  
Tel. (617)720-3500

Docket No. L0461/7118(JRV)  
Dated: August 7, 2001

Attorney's Docket No: L0461/7118 (JRV)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


Applicant: Martelange et al.  
Serial No: Not assigned  
Filed: Herewith  
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Examiner: Unknown  
Art Unit: Unknown

Box PATENT APPLICATION  
Assistant Commissioner for Patents  
Washington, D.C. 20231

STATEMENT PURSUANT TO 37 CFR 1.821(f)

This statement is made pursuant to 37 CFR 1.821(f). Applicants enclose herewith a paper copy of the Sequence Listing and request to use a computer readable diskette from a prior application. Applicant's attorney states that the content of the paper copy of the Sequence Listing and the computer readable diskette contain the identical information and contain no new matter.

Respectfully submitted,

  
John R. Van Amsterdam, Reg. No. 40,212  
Wolf, Greenfield & Sacks, P.C.  
600 Atlantic Avenue  
Boston, MA 02210  
Tel. (617) 720-3500

Docket No. L0461/7118(JRV)  
Dated: August 7, 2001